

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA
Petitioner,

vs.

10.6309 ACRES OF LAND, MORE
OR LESS, SITUATE IN MONMOUTH
COUNTY, STATE OF NEW JERSEY,
AND BOROUGH OF EATONTOWN, ET
AL,
Defendants.

DECLARATION
OF TAKING

Civil M-320A
FILED 9-22-41

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, *Henry L. Stimson*, Secretary of War of
the United States, do hereby declare that:

1. (a) The lands hereinafter described are taken under and in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. sec. 258a), and acts supplementary thereto and amendatory thereof, and under the further authority of the Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241), and April 11, 1918 (40 Stat. 518, 50 U.S.C. sec. 171), which Act authorizes the acquisition of land for military purposes, and the Act of Congress approved March 17, 1941 (Public Law 13 - 77th Congress), which Act appropriated funds for such purposes.

(b) The public uses for which said lands are taken are as follows:
The said lands are necessary adequately to provide for the enlargement of a military training camp and for other military purposes incident thereto. The said lands have been selected by me for acquisition by the United States for use in connection with the enlargement of Fort Monmouth, New Jersey, and for such other uses as may be authorized by Congress or by Executive Order, and are required for immediate use.

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2. A general description of the lands being taken is set forth in Schedule "A" attached hereto and made a part hereof and is a description of the same lands described in the petition in the above entitled cause.

3. The estate taken for said public uses is the full fee simple title thereto, subject, however, to existing easements for public utilities therein.

4. A plan showing the lands taken is annexed hereto as Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said land, with all buildings and improvements thereon and all appurtenances thereto, and including any and all interests hereby taken in said lands, is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the Registry of said Court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said lands will probably be within any limits prescribed by law as the price to be paid therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War, thereunto authorized, has caused this declaration to be signed in its name by said Henry L. Stimson, Secretary of War, this the 17th day of September, A. D. 1941, in the City of Washington, District of Columbia.

Henry L. Stimson
Secretary of War of the
United States

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking and of this condemnation aggregates 10.6309 acres, more or less, situate and being in Monmouth County, State of New Jersey. A description of the lands taken, together with a list of the names of the purported owners thereof and a statement of the sum estimated to be just compensation therefor is as follows:

PARCELS NOS. 1 & 4

DESCRIPTION:

Parcel No. 1

An irregular tract of land located between Central Railroad of New Jersey right-of-way and State Highway Route #4, situated in the Borough of Eatontown, Monmouth County, State of New Jersey, surveyed and shown as Parcel #1 on a map prepared by William A. Goff, Engineer, dated August 7, 1941, and more particularly described as follows:

Beginning at a point on the East side of Academy Avenue, 449.62 feet distant from the intersection of the East line of Academy Avenue with the North line of Broadway (State Highway Route #4) when measured along the East line of Academy Avenue.

Thence running N. $71^{\circ} 55' 50''$ W. and at right angles to Academy Avenue 200.0 feet to the Southeast corner of land of Milton Smith; thence N. $18^{\circ} 04' 10''$ E. parallel with and 150.0 feet distant from College Avenue 147.75 feet along land of Milton Smith, Elsie Emmons and other land of the Borough of Eatontown; thence N. $71^{\circ} 55' 50''$ W. at right angles to College Avenue 150.0 feet to the East side of College Avenue; thence N. $18^{\circ} 04' 10''$ E. along the East line of College Avenue 349.62 feet to a monument; thence N. $71^{\circ} 55' 50''$ W. at right angles to College Avenue 50.0 feet to the Northeast corner of land of Anna Wooley Estate and continuing N. $71^{\circ} 55' 50''$ W. along the line of Anna Wooley Estate 150.0 feet to the Northwest corner of said land; thence S. $18^{\circ} 04' 10''$ W. parallel with College Avenue 100.0 feet along land of Anna Wooley Estate and land of A. Percival Estate to the Southwest corner of last mentioned land; thence S. $71^{\circ} 55' 50''$ E. at right angles to College Avenue and still along land of A. Percival Estate 150.0 feet to the West side of College Avenue; thence S. $18^{\circ} 04' 10''$ W. along the West line of College Avenue 149.62 feet to the Northeast corner of property of Elsie Chapin, said corner being 100.0 feet northerly from the intersection of the West line of College Avenue with the North line of Rose Court, when measured along the West side of College Avenue; thence N. $71^{\circ} 55' 50''$ W. at right angles to College Avenue and parallel with Rose Court 200.0 feet to the Northwest corner of Elsie Chapin; thence S. $18^{\circ} 04' 10''$ W. at right angles to Rose Court and parallel with College Avenue 100.0 feet to the north side of Rose Court; thence

N. $71^{\circ} 55' 50''$ W. along the North side of Rose Court 104.99 feet to land formerly of Charles White; thence N. $4^{\circ} 10' 07''$ W. along land formerly of Charles White 250.27 feet to the Southwest corner of land now or formerly of Harry Rowland, said corner being 125.0 feet distant from the Southerly right-of-way line of the Central Railroad of New Jersey when measured along the continuation of the last mentioned course; thence N. $61^{\circ} 47' 25''$ E. parallel with the property of Central Railroad of New Jersey 71.0 feet to the Southeast corner of land of Harry Rowland; thence N. $4^{\circ} 10' 07''$ W. parallel with the East boundary of land of aforementioned Charles White 125.0 feet to the property of Central Railroad of New Jersey; thence N. $61^{\circ} 47' 25''$ E. along the property of Central Railroad of New Jersey 419.05 feet to a bend; thence N. $58^{\circ} 55' 25''$ E. still along the property of Central Railroad of New Jersey 68.32 feet to land of Borough of Eatontown under lease to United States Government; thence along land of Borough of Eatontown under lease to United States Government the following two (2) courses: S. $31^{\circ} 04' 35''$ E. 612.96 feet to a bend and S. $18^{\circ} 04' 10''$ W. along the East line of Academy Avenue extended 500.0 feet to the point or place of beginning, containing within said bounds an area of 9.8139 acres, more or less.

Parcel No. 4. TRACT 11

A rectangular plot of land, being the Northerly part of College Avenue located between Central Railroad of New Jersey right-of-way and State Highway Route #4, situated in the Borough of Eatontown, Monmouth County, State of New Jersey, surveyed and shown as Parcel #4 on a map prepared by William A. Goff, Engineer, dated August 7, 1941, and more particularly described as follows:

Beginning at a monument on the east side of College Avenue, distant 949.62 feet from the intersection of the East line of College Avenue with the North line of Broadway (State Highway Route #4), when measured along the East side of College Avenue; thence N. $71^{\circ} 55' 50''$ W. at right angle to the line of College Avenue 50.0 feet to the West side of College Avenue; thence S. $18^{\circ} 04' 10''$ W. along the West side of College Avenue 249.62 feet to the Northeast corner of land of Elsie Chapin; thence S. $71^{\circ} 55' 50''$ E. at right angle to the line of College Avenue 50.0 feet to the East side of College Avenue; thence N. $18^{\circ} 04' 10''$ E. along the East side of College Avenue 249.62 feet to the point of beginning, containing within said bounds an area of 0.2865 acres, more or less.

Name of Purported Owner: Borough of Eatontown
Estimated Compensation: \$2,700.00

PARCEL NO. 2 TRACT 14

DESCRIPTION:

119 A parallelogram-shaped plot of land being the property now or formerly of Harry Rowland located on the South side of a right-of-way belonging to Central Railroad of New Jersey, between said Railroad and State Highway #4, situated in the Borough of Eatontown, Monmouth County, State of New Jersey, surveyed and shown as Parcel #2 on a map prepared by William A. Goff, Engineer, dated August 7, 1941, and more particularly described as follows:

An irregular tract of land located between Central Railroad of New Jersey right-of-way and State Highway Route #4, situated in the Borough of Eatontown, Monmouth County, State of New Jersey,

as follows:

A description of the entire area of all the lands described herein is

Names of Purported Owners: Anna Woolley Estate and A. Percival Estate
Estimated Compensation: \$300.00
more or less.
Beginning at a point on the West side of College Avenue opposite and 50.0 feet distant - when measured at right angle to the line of College Avenue - from a monument on the East side of College Avenue. Said monument being located 949.62 feet Northerly from the intersection of the East line of College Avenue with the North line of Broadway (State Highway Route #4) when measured along the East side of College Avenue; thence N. 71° 55' 50" W. at right angle to College Avenue 150.0 feet along land of Anna Woolley Estate to the Northwest corner thereof; thence S. 18° 04' 10" W. parallel with College Avenue 100.0 feet along land of Anna Woolley Estate and A. Percival Estate to the Southwest corner of the last mentioned property; thence S. 71° 55' 50" E. at right angle to College Avenue 150.0 feet along land of A. Percival Estate to the West side of College Avenue; thence N. 18° 04' 10" E. along the West side of College Avenue 100.0 feet to the point of beginning, containing within said bounds an area of 0.3444 acres,

DESCRIPTION:

PARCEL NO. 3

Name of Purported Owner: Harry Rowland
Estimated Compensation: \$3,250.00

TRACT 13
Beginning at a point where the Southerly boundary line of property belonging to Central Railroad of New Jersey is intersected by the Easterly boundary line of land formerly of Charles White, said point being 1707.33 feet westerly from the intersection of the Eatontown-Oceanport Borough line with the Southerly boundary of property of Central Railroad of New Jersey, when measured along the south line of said right-of-way; thence S. 40° 10' 07" E. along land formerly of Charles White 125.0 feet; thence N. 61° 47' 25" E. parallel with property of Central Railroad of New Jersey 71.0 feet; thence N. 40° 10' 07" W. parallel with the Easterly boundary of land formerly of Charles White 125.0 feet to property of Central Railroad of New Jersey; thence S. 61° 47' 25" W. along the property of Central Railroad of New Jersey 71.0 feet to the point of beginning, containing within said bounds an area of 0.1861 acres, more or less.

surveyed and shown as the aggregate of parcels #1, #2, #3 and #4 on a map prepared by William A. Goff, Engineer, dated August 7, 1941, and more particularly described as follows:

Beginning at a point on the East side of Academy Avenue 449.62 feet distant from the intersection at the East line of Academy Avenue with the North line of Broadway (State Highway Route #4N) when measured along the East line of Academy Avenue; thence running N. $71^{\circ} 55' 50''$ W. and at right angles to Academy Avenue 200.0 feet to the Southeast corner of land of Milton Smith; thence N. $18^{\circ} 04' 10''$ E. parallel with and 150.0 feet distant from College Avenue 147.75 feet along land of Milton Smith, Elsie Emmons and other land of the Borough of Eatontown; thence N. $71^{\circ} 55' 50''$ W. at right angles to College Avenue 150.0 feet to the East side of College Avenue; thence N. $18^{\circ} 04' 10''$ E. along the East line of College Avenue 100.0 feet to a point; thence N. $71^{\circ} 55' 50''$ W. at right angles to College Avenue and parallel with Rose Court 250.0 feet to the Northwest corner of land of Elsie Chapin; thence S. $18^{\circ} 04' 10''$ W. at right angles to Rose Court and parallel with College Avenue 100.0 feet to the North side of Rose Court; thence N. $71^{\circ} 55' 50''$ W. along the North side of Rose Court 104.99 feet to the land formerly of Charles White; thence N. $4^{\circ} 10' 7''$ W. along the land formerly of Charles White 375.27 feet to the Northwest corner of the land now or formerly of Harry Rowland, which corner meets the Southerly boundary of the right-of-way line of the Central Railroad of New Jersey; thence N. $61^{\circ} 47' 25''$ E. along the Southerly boundary of the property of Central Railroad of New Jersey 490.05 feet to a bend; thence N. $58^{\circ} 55' 25''$ E. still along the property of Central Railroad of New Jersey 68.32 feet to land of Borough of Eatontown under lease of United States Government; thence along land of Borough of Eatontown under lease to United States Government the following two (2) courses: S. $31^{\circ} 04' 35''$ E. 612.96 feet to a bend and S. $18^{\circ} 04' 10''$ W. along the East line of Academy Avenue extended 500.0 feet to the point or place of beginning, containing within said bounds a total area of 10.6309 acres, more or less.

The gross sum estimated to be just compensation for the lands hereby taken is \$6,250.00.